

**ATTORNEY DOCKET NO.: 2002645-0003** 

	As a below name	d inventor, Ithere	eby declare	hat:		ASHPATERI
	My residence, po	st office address	and citizens	ship are as stated be	low next	to my name,
claime		original, first and ventor (if plural n	d sole invent ames are lis	or (if only one name ted below) of the su	is listed	
	NUTRITIONAL	SUPPLEMENTS	CONTAIN	NG METHYLSELEN	NOCYST	EINE
	ecification of whic choices, and fill in			Stewart to check on	e of the f	ollowing,
	is attache	d hereto				
<b>(* 1</b>	X was filed on September 12, 2000 as Application Serial No. 09/659,926 and amended on (if applicable).  was filed as PCT international application No					
	was filed onon	as PCT internati	onal applica	tion No.	19	paraka bar
	-			stood the contents of ny amendment referr		
this ap	•	•		on which is material t Federal Regulations,		amination of
below	application(s) for	patent or invent ation for patent of	or's certifica or inventor's	itle 35, United States te listed below and h certificate having a f	ave also	identified
Prior F	oreign Application	n(s):	Prior	ty Claimed		
(Numb	er)	(Country)	(Day	Month/Year/Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America



listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

09/041,355 (Application Serial No.)	March 12, 1998 (filing date)	Pending (status-patented, pending, abandoned)
PCT Applications design	ating the United States:	
(PCT Appl. No.)	(U.S.S.N.)	(status-patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national filing date of this application.

Provisional Application(s):			
Application Number	Filing Date	Status	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.



Full name of first inventor Daylo Sait	11.
Inventor's signature	Date: Hh Jan 20
Residence 7140 West Suzette Lane, Flagstaff, AZ 86001	
Citizenship United States	<del>-</del> .
Post Office Address Same	
Full name of first inventor Burt D. Ensley	
Inventor's signature	Date:
Residence 7 Colts Neck Drive, Newton, PA 18940	
Citizenship United States	_
Post Office Address Same	
Full name of first inventor Cynthia Orser	
Inventor's signature	Date:
Residence 915 Ridge Drive, McLean, VA 2210	
Citizenship United States	
Post Office Address Same	•



**ATTORNEY DOCKET NO.: 2002645-0003** 

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### NUTRITIONAL SUPPLEMENTS CONTAINING METHYLSELENOCYSTEINE

the specification of which (I authorize Choate, Hall & Stewart to check one of the following,

foreign application below any foreign	n(s) for patent or invente application for patent of on which priority is clair	or's certificate listed below and have or inventor's certificate having a filit	ve also identified
foreign application below any foreign of the application	n(s) for patent or invente application for patent of on which priority is clair	or's certificate listed below and have or inventor's certificate having a filion med:	ve also identified
foreign application below any foreign	n(s) for patent or invento application for patent o	or's certificate listed below and have or inventor's certificate having a filit	ve also identified
	oim forcing adads, base	efits under Title 35, United States (	Dada C440 af and
I acknowle this application in	dged the duty to disclos accordance with Title 3	se information which is material to 37, Code of Federal Regulations, §	the examination of 1.56.
I hereby st specification, incli	ate that I have reviewed uding the claims, as am	d and understood the contents of the content of th	he above-identified d to above.
on	as filed as PCT internati and v	ional application Nowas amended under PCT Article 1 pplicable).	9
X wa	s filed on <u>September 12</u> ded on	2, 2000 as Application Serial No. 0 (if applicable).	9 <u>/659,926</u>
	KEEG TO GO		
is a	ittached hereto		

application(s) or PCT international application(s) designating the United States of Am rica

Application Number

listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

09/041,355	March 12, 1998	Pending
(Application Serial No.)	(filing date)	(status-patented, pending, abandoned)
PCT Applications design	ating the United State	s:
(PCT Appl. No.)	(U.S.S.N.)	(status-patented, pending, abandoned)
States provisional application claims of this application provided by the first para to disclose information w	ation(s) listed below a is not disclosed in the graph of Title 35, Unit think is material to path became available be	5, United States Code, §119(e) of any United and, insofar as the subject matter of each of the prior United States application in the manner ted States Code, §112, I acknowledge the duty entability as defined in Title 37, Code of Federal etween the filing date of the prior application and
Provisional Application(s	):	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Status

Filing Date

Date:
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<u></u>
_
Date:
_
<del></del>



**ATTORNEY DOCKET NO.: 2002645-0003** 

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

#### **NUTRITIONAL SUPPLEMENTS CONTAINING METHYLSELENOCYSTEINE**

the specification of which (I authorize Choate, Hall & Stewart to check one of the following, three choices, and fill in the blanks, if applicable):

is a	ttached hereto		
		2000 as Application Serial No. (	
ws	s filed as PCT internatio	nal application No.	
on we	and w	as amended under PCT Article	
on	(if ap	plicable).	
I acknowle this application in  I hereby classification application below any foreign	dged the duty to disclose accordance with Title 37 aim foreign priority bene- n(s) for patent or invento application for patent or	ended by any amendment referred e information which is material to 7, Code of Federal Regulations, fits under Title 35, United States r's certificate listed below and ha r inventor's certificate having a fil	the examination of §1.56. Code, §119 of any ave also identified
	on which priority is claim		
Prior Foreign App	lication(s):	Priority Claimed	
		Specification of the second	
(Number)	(Country)	(Day/Month/Year/Filed)	Yes No
•		le 35, United States Code, §120 ition(s) designating the United St	

listed below and, insofar as the subject thatter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

09/041,355	March 12, 1998	Pending
(Application Serial No.)	(filing date)	(status-patented, pending, abandoned)
PCT Applications design	ating the United States:	
(PCT Appl. No.)	(U.S.S.N.)	(status-patented, pending, abandoned)
States provisional applic claims of this application provided by the first para to disclose information w	ation(s) listed below and, is not disclosed in the pringraph of Title 35, United thich is material to patental became available betwe	nited States Code, §119(e) of any United insofar as the subject matter of each of the or United States application in the manner States Code, §112, I acknowledge the duty ability as defined in Title 37, Code of Federal een the filing date of the prior application and

Provisional Application(s):

**Application Number** 

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

**Status** 

Filing Date

Full name of first inventor David Salt		
Inventor's signature	Date:_	
Residence 7140 West Suzette Lane, Flagstaff, AZ 86001	<del></del>	
Citizenship United States		
Post Office Address Same	_	
Full name of first inventor_Burt D. Ensley		
Inventor's signature	Date:_	
Residence 7 Colts Neck Drive, Newton, PA 18940		
Citizenship United States		
Post Office Address Same		
Full name of first inventor Cynthia Orser		
Inventor's signature Cindy 4. 999	Date:_	1-8-01
Residence 915 Ridge Drive, McLean, VA 2210		
Citizenship United States		
Post Office Address Same		

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Ensley, et al.

Serial No.:

Not Assigned

Filed:

September 12, 2000

For:

NUTRITIONAL SUPPLEMENTS CONTAINING

**METHYLSELENOCYSTEINE** 

Commissioner for Patents Washington, DC 20231

# <u>VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS</u> 37 CFR 1.9(f) and 1.27(c) SMALL BUSINESS CONCERN

I hereby declare that I am

( ) the owner of the small business concern identified below:

(X) an official empowered to act on behalf of the small business concern identified below:

NAME OF CONCERN:

NuCycle Therapy, Inc.

ADDRESS OF CONCERN:

One Deer Park Drive, Suite 1, Monmouth Junction, NJ 08852

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For the purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full time, part time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when, either directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract of law have been conveyed to and remain with the small business concern identified above with regard to the invention titled:

TITLE: NUTRITIONAL SUPPLEMENTS CONTAINING METHYLSELENOCYSTEINE

by:

INVENTOR(S):

Burt D. Ensley, David Salt, and Cynthia Orser

described in:	
(X)	the specification filed herewith
()	U.S. Patent Application Serial Number
` ,	filed
()	U.S. Patent Number
	issued
concern, or or are held by an	of the above-identified small business concern are not exclusive, each individual, ganization having rights to the invention is listed below* and no rights to the invention by person, other than the inventor(s), who could not qualify as a small business concern R 1.9(d) or a non-profit organization under 37 CFR 1.9(e).
*NOTE: Sep having rights	arate verified statements are required from each named person, concern, or organization to the invention, averring to their status as small entities. (37 CFR 1.27).
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ADDRESS.	
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resulting in learliest of the	ge the duty to file, in this application or patent, notification of any change in status loss of entitlement to small entity status prior to paying, or at the time of paying, the e issue fee or any maintenance fee due after the date on which status as a small entity is propriate. (37 CFR 1.28(b))
statements m were made w fine or impr willful false	clare that all statements made herein of my own knowledge are true and that all hade on information and belief are believed to be true; and further that these statements with the knowledge that willful false statements and the like so made are punishable by isonment, or both, under §1001 of Title 18 of the United States Code, and that such statements may jeopardize the validity of the application, any patent issuing thereon, or which this verified statement is directed.
NIANCE OF I	PERSON SIGNING: John Benneman
_	ORGANIZATION: CEO
	OF PERSON SIGNING NuCycle Therapy, Inc.
ADDICESS	One Deer Park Drive, Suite 1
	Monmouth Junction, NJ 08852
	DATE MUZZO
SIGNATUR	DATE:
3168525_1.DOC	71 .



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Ensley et al.

Serial Number:

Not Assigned

Filed:

September 12, 2000

For:

NUTRITIONAL SUPPLEMENTS CONTAINING

**METHYSELENOCYSTEINE** 

Commissioner for Patents Washington, D.C. 20231

Sir:

### APPOINTMENT OF ATTORNEY

The undersigned hereby appoints Sam Pasternack, Registration No. 29,576; Brenda Herschbach Jarrell, Registration No. 39,223; Elizabeth Nugent, Registration No. 43,839; Karoline Shair, Registration No. 44,332; Valarie B. Rosen, Registration No. 45,698; Stanley C. Mah, Registration No. 46,189; C. Hunter Baker, Reg. No. P-46,533; and Monica R. Gerber, Reg. No. P-46,724 as its attorneys and agents for prosecution of matters relating to the above-identified patent application and to conduct all business in the United States Patent and Trademark Office.

All correspondence should be sent to Brenda Herschbach Jarrell, Choate, Hall & Stewart, Exchange Place, 53 State Street, Boston, Massachusetts 02109.

Respectfully submitted,

Name: John/Benneman

Title: CEO

On behalf of MaCycle Therapy, Inc.

Dated:

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